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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/050,579
Filing Date: January 15, 2002
Appellant(s): LINDEN ET AL.

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Ronald J. Schoenbaum
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed November 18, 2005 appealing from the

Office action mailed July 19, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

(9)-a. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained although the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

(9)-b. Claims 21-26, 28-33, 49-59 and 60-65 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Bunch (U.S. Patent 6,795,856) in view of Hosken (U.S. Patent

6,438,579).

As per claim 21, Bunch teaches "using a client component which runs on the user's

computer in conjunction with a web browser to identify a plurality of items accessed by

the user through a plurality of web sites during a web browsing session" (See Fig. 3 and

col. 5, lines 57-65 wherein Bunch's a client-side monitoring module running at the client

site in parallel with web browser to monitor, log and intercept URL requests of the

browser is equivalent to Applicant's using a client component which runs on the user's

computer in conjunction with a web browser to identify a plurality of items).

Bunch does not specifically teach "selecting an additional item based at least upon a

degree of relatedness between the additional item and each of the plurality of items".

Hosken teaches "selecting an additional item based at least upon a degree of relatedness between the additional item and each of the plurality of items" (See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user is equivalent to Applicant's selecting an additional item based at least upon a degree of relatedness between the additional item and each of the plurality of items).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teachings of Hosken and Bunch references because both references are devoted to capture the information of user's web browsing activities, and the combined reference would have enabled a system to monitor and record user's interested items and further evaluate, correlate and collaborate for constructing an extended set of items to recommend to the users. Please refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

Hosken further teaches "recommending the additional item to the user" (See col. 12, lines 12-18 wherein Hosken's a set of content items are identified and refined for recommending to the user is equivalent to Applicant's recommending the additional item to the user).

As per claim 22, Bunch further teaches "the additional item is a web page, a web site or a web address" (See col. 8, lines 47-54 wherein Hosken's web pages visited are presented to the user is equivalent to Applicant's the additional item is a web page, a web site or a web address).

As per claim 23, Bunch further teaches "the plurality of items are web pages, web sites or web addresses" (See col. 8, lines 47-54 wherein Hosken's each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer is equivalent to Applicant's the plurality of items are web pages, web sites or web addresses).

As per claim 24, the combined Hosken-Bunch reference teaches "the additional item is recommended to the user through the client component" (See Hosken: the Abstract where additional items are recommended, and Bunch: col. 8, lines 47-54 where each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer).

As per claim 25, Hosken further teaches "degrees of relatedness are based upon scores that take into account browsing history data for a plurality of users" (See the Abstract and col. 11, lines 26-35 wherein Hosken's system saves implicit and explicit ratings data for such content items provided by the users and the values of confidence level for the items are normalized between 0.0 and 9.0 is equivalent to Applicant's

degrees of relatedness are based upon scores that take into account browsing history

data for a plurality of users).

As per claim 26, the combined Hosken-Bunch reference teaches "wherein degrees of

relatedness are based upon a commonality index that takes into account a number of

co-occurrences of accesses of a pair of items within a set of web browsing sessions"

(See Hosken: col. 9, lines 39-42 and col. 10, lines 39-43 where data related to external

polls, rankings and ratings of different items are collected and users are interviewed,

surveyed and questioned initially and on-going basis to obtain relative strength of user's

interests on items, and Bunch: col. 8, lines 47-54 where each time the user navigates to

a new web page suggests accessing a pair of items within a set of web browsing

sessions).

As per claim 28, Hosken further teaches "wherein the additional item is selected by a

server component that receives an identification of the plurality of items from the client

component" (See col. 6, lines 51-61 wherein Hosken's user select an item from a

master list and submits to the server is equivalent to Applicant's wherein the additional

item is selected by a server component that receives an identification of the plurality of

items from the client component).

As per claim 29, Hosken further teaches "wherein the item is a product" (See the Abstract wherein Hosken's the content items are video or audio products is equivalent to Applicant's the item is a product).

As per claim 30, Bunch further teaches "receiving from the client component identifications of a plurality of web addresses browsed by the user during the web browsing session" (See col. 8, lines 47-54 wherein Hosken's each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer is equivalent to Applicant's receiving from the client component identifications of a plurality of web addresses browsed by the user during the web browsing session).

As per claim 31, Bunch teaches "the association of web addresses with items is based at least upon content-based analysis" (See col. 11, line 13-19 where user behaviors are analyzed to identify media content attribute and media content item interests implicitly expressed by the user through browsing activities, and further preferably, the result of this analysis is again a set of binary relations between characterizing attributes of media content items and a relative weighting of the relations representing the strength of the interests is equivalent to Applicant's the association of web addresses with items is based at least upon content-based analysis).

As per claim 32, Hosken teaches "the association of web addresses with items is based at least upon structured-based analysis" (See col. 11, line 13-19 wherein Hosken's user behaviors are analyzed to identify media content attribute and media content item interests implicitly expressed by the user through browsing activities, and further preferably, the result of this analysis is again a set of binary relations between characterizing attributes of media content items and a relative weighting of the relations representing the strength of the interests is equivalent to Applicant's the association of web addresses with items is based at least upon structured-based analysis).

As per claim 33, Hosken further teaches "the association of web addresses with items is based at least upon user identification of items on web pages" (See col. 11, line 13-19 wherein Hosken's user behaviors are analyzed to identify media content attribute and media content item interests implicitly expressed by the user through browsing activities, and further preferably, the result of this analysis is again a set of binary relations between characterizing attributes of media content items and a relative weighting of the relations representing the strength of the interests is equivalent to Applicant's the association of web addresses with items is based at least upon user identification of items on web pages).

As per claim 49, Bunch teaches the following:
"providing a browser plug-in that runs on a user computer in association with a web browser" (See Fig. 3 and col. 5, lines 57-65 wherein Bunch's a client-side monitoring

module running at the client site in parallel with web browser to monitor, log and

intercept URL requests of the browser is equivalent to Applicant's providing a browser

plug-in that runs on a user computer in association with a web browser); and

"during a current browsing session in which a user accesses a plurality of web sites,

receiving from the browser plug-in, at a server which is separate from the user

computer, at least an indication of the plurality of web sites accessed by the user" (See

Figs. 2-3 and col. 5, lines 22-48 and 57-65 wherein Bunch's client-side monitoring

module and server-side supervisor coordinate, monitor and indicate the web sites user

accesses is equivalent to Applicant's during a current browsing session in which a user

accesses a plurality of web sites, receiving from the browser plug-in, at a server which

is separate from the user computer, at least an indication of the plurality of web sites

accessed by the user).

Bunch does not specifically teach "selecting a web address to suggest to the user,

taking into consideration identities of each of the plurality of web sites accessed by the

user during the current browsing session".

Hosken teaches "selecting a web address to suggest to the user, taking into

consideration identities of each of the plurality of web sites accessed by the user during

the current browsing session" (See col. 9, lines 39-42 and col. 10, lines 39-43 wherein

Hosken's system uses the relationships between the content items to determine a

subset of the content items. to be referred to the user, and the system correlates a

similarity between the user's rating of the content items and other users' ratings for

selecting a subset of users to be used to provide recommendations to the user is

equivalent to Applicant's selecting a web address to suggest to the user, taking into consideration identities of each of the plurality of web sites accessed by the user during the current browsing session).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teachings of Hosken and Bunch references because both references are devoted to capture the information of user's web browsing activities, and the combined reference would have enabled a system to monitor and record user's interested items and further evaluate, correlate and collaborate for constructing an extended set of items to recommend to the users. Please refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

Hosken further teaches "transmitting the web address to the user computer during the current browsing session" (See col. 12, lines 12-18 wherein Hosken's a set of content items are identified and refined for recommending to the user is equivalent to Applicant's transmitting the web address to the user computer during the current browsing session).

As per claim 50, Bunch further teaches "the server is separate from servers of the plurality of web sites" (See Fig. 2, elements 28s and 30 wherein Hosken's web servers are separate from supervisory web server is equivalent to Applicant's the server is separate from servers of the plurality of web sites).

As per claim 51, Bunch further teaches "the browser plug-in presents the web address to the user during the browsing session" (See col. 8, lines 47-54 where each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer).

As per claim 52, Hosken further teaches "the browser plug-in provides an option for the user to deselect one or more of the plurality of accessed web sites to cause a recommendation of said web address to be refined" (See col. 10, lines 4-5 and col. 14, lines 32-35 wherein Hosken's user is enabled to navigate the recommended items set and system is enabled to remove items from the recommended lists suggests teaching of option of removing items from recommended set is available to user is equivalent to Applicant's the browser plug-in provides an option for the user to deselect one or more of the plurality of accessed web sites to cause a recommendation of said web address to be refined).

As per claim 53, the combined Hosken-Bunch reference teaches "the web address is an address of a target web site that is determined to be the most closely related to the plurality of web sites accessed by the user during the current browsing session" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be

used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 54, the combined Hosken-Bunch reference teaches "the web address is an address of a target web site, and is selected such that a selection decision takes into consideration a degree to which the target web site is related to each of the plurality of accessed web sites" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 55, the combined Hosken-Bunch reference teaches "the degree to which the target web site is related to each of the plurality of accessed web sites is determined by accessing a data structure that stores pre-generated data values reflective of degrees to which specific web sites are related" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide

recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location

of web sites visited by the user is monitored and logged).

As per claim 56, the combined Hosken-Bunch reference teaches "wherein selection

of the web address takes into consideration a degree to which the target web site is

collectively related to the plurality of web sites accessed by the user" (See Hosken: See

col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the

relationships between the content items to determine a subset of the content items to be

referred to the user, and the system correlates a similarity between the user's rating of

the content items and other users' ratings for selecting a subset of users to be used to

provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's

location of web sites visited by the user is monitored and logged).

As per claim 57, the combined Hosken-Bunch reference teaches "the web address in

an address of a target web page, and is selected taking into consideration a degree to

which the target web page is related to each of a plurality of web pages accessed by the

user while browsing the plurality of web sites" (See Hosken: See col. 9, lines 39-42 and

col. 10, lines 39-43 wherein Hosken's system uses the relationships between the

content items to determine a subset of the content items to be referred to the user, and

the system correlates a similarity between the user's rating of the content items and

other users' ratings for selecting a subset of users to be used to provide

recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 58, Bunch further teaches "selection of the web address takes into account frequencies with which different web sites have been accessed by users during the same browsing session, as determined by analyzing session clickstreams of a plurality of users" (See Fig. 4, col. 8, lines 47-54 and col. 9, lines 9-38 wherein Bunch's location of web sites visited by the user is monitored and logged and the server keeps a permanent history log of user's internet activities serving as a basis for email notification and viewable by administrator is equivalent to Applicant's selection of the web address takes into account frequencies with which different web sites have been accessed by users during the same browsing session, as determined by analyzing session clickstreams of a plurality of users).

As per claim 59, the combined Hosken-Bunch reference teaches "the web address is one of a plurality of web addresses selected to concurrently recommend to the user" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 60, Bunch teaches the following:

"at a server, receiving clickstream data from a user computer, said clickstream data

reflective of browsing actions performed by a user of the user computer across a

plurality of web sites during a current browsing session, said server being separate from

servers of said plurality of web sites" (See Fig. 4 and col. 9, lines 9-38 wherein Bunch's

the server keeps a permanent history log of user's internet activities is equivalent to

Applicant's at a server, receiving clickstream data from a user computer, said

clickstream data reflective of browsing actions performed by a user of the user

computer across a plurality of web sites during a current browsing session, said server

being separate from servers of said plurality of web sites); and

"storing the clickstremn data in a memory of the server during the browsing

session" (See Fig. 4 and col. 9, lines 9-38 wherein Bunch's the server keeps a

permanent history log of user's internet activities is equivalent to Applicant's storing the

clickstremn data in a memory of the server during the browsing session).

Bunch does not specifically teach "selecting at least one web address to recommend

to the user during the browsing session such that selection of the at least one web

address takes into consideration identities of each of the plurality of web sites accessed

by the user during the browsing session".

Hosken teaches "selecting at least one web address to recommend to the user during

the browsing session such that selection of the at least one web address takes into

consideration identities of each of the plurality of web sites accessed by the user during

the browsing session" (See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's

system uses the relationships between the content items to determine a subset of the

content items to be referred to the user, and the system correlates a similarity between

the user's rating of the content items and other users' ratings for selecting a subset of

users to be used to provide recommendations to the user is equivalent to Applicant's

selecting at least one web address to recommend to the user during the browsing

session such that selection of the at least one web address takes into consideration

identities of each of the plurality of web sites accessed by the user during the browsing

session).

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine the teachings of Hosken and Bunch

references because both references are devoted to capture the information of user's

web browsing activities, and the combined reference would have enabled a system to

monitor and record user's interested items and further evaluate, correlate and

collaborate for constructing an extended set of items to recommend to the users. Please

refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two

references.

Hosken further teaches "transmitting the at least one web address to the user

computer during the browsing session" (See col. 12, lines 12-18 wherein Hosken's a set

of content items are identified and refined for recommending to the user is equivalent to

Applicant's transmitting the web address to the user computer during the current

browsing session).

As per claim 61, Bunch further teaches "the clickstream data is transmitted from the

user computer to the server under the control of a browser plug-in that runs on the user

computer" (See col. 8, lines 47-67 wherein Bunch's user's activities on web sites are

logged for each session and uploaded to the server when user completes the internet

session via the client monitoring and server supervisor modules is equivalent to

Applicant's the clickstream data is transmitted from the user computer to the server

under the control of a browser plug-in that runs on the user computer).

As per claim 62, Bunch further teaches "the browser plug-in provides an option for

the user to deselect one or more accessed web locations represented in the clickstream

data to cause a recommendation of the at least one web address to be refined" (See

col. 10, lines 4-5 and col. 14, lines 32-35 wherein Hosken's user is enabled to navigate

the recommended items set and system is enabled to remove items from the

recommended lists suggests teaching of option of removing items from recommended

set is available to user is equivalent to Applicant's the browser plug-in provides an

option for the user to deselect one or more accessed web locations represented in the

clickstream data to cause a recommendation of the at least one web address to be

refined).

As per claim 63, the combined Hosken-Bunch reference teaches "the at least one web address is selected using a previously-generated mapping structure that maps web addresses to related web addresses" (See Hosken: Fig. 1B and col. 4, lines 56-65 where an expert compiled database of content item relationship information is used as a basis for selecting content items, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 64, the combined Hosken-Bunch reference teaches "the at least one web address includes an address of a target web site that is determined to be the most closely related to the plurality of web sites accessed by the user" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 65, the combined Hosken-Bunch reference teaches "the at least one web address is selected so as to recommend one or more web sites that are collectively related to a plurality of web locations accessed during the current browsing session" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content

items to be referred to the user, and the system correlates a similarity between the

user's rating of the content items and other users' ratings for selecting a subset of users

to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54

wherein Bunch's location of web sites visited by the user is monitored and logged).

(9)-c. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunch

(U.S. Patent 6,795,856) and in view of Hosken (U.S. Patent 6,438,579), as applied to

claim 21, and further in view of Ullmann et al. (U.S. Patent 6,683,627, hereafter

"Ullmann").

As per Claim 27, the Hosken-Bunch combined reference does not teach "degrees of

relatedness are based upon a minimum sensitivity determination", although Hosken

teaches collecting user's weighted data set which reflects user's relative interest of

items at col. 2, lines 45-47.

Ullmann teaches relationship between the movement of a mouse and the position of

cursor display by controlling the movement within the range of minimum sensitivity and

maximum sensitivity.

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine Ullmann's teaching with Hosken and Bunch

references by using the concept of sensitivity calculation method to determine the

degree of relatedness between two items because the combined teaching would have

enabled Hosken's system to utilize the techniques of minimum sensitivity calculation in

the process of recommending items of high accuracy and relatedness to users. Please

refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

(9)-d. The prior art made of record

    A. U.S. Patent   6,795,856

    B. U.S. Patent   6,438,579

    C. U.S. Patent   6,683,627

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

    D. U.S. Patent Application Publication 2002/0194087

    E. U.S. Patent   6,667,751

    F. U.S. Patent   6,643,696

    G. U.S. Patent   6,112,240

    H. U.S. Patent   6,412,012

(10) Response to Argument

(a). At Pages 5-6 of Appeal Brief, concerning claim 21, Applicant argued that there is lack of motivation or reasonable expectation of success for combining the Hosken and Bunch references, and furthermore, the references do not teach all elements.

As to the above argument **(a),** Examiner respectfully submits that both references are directed to browsing web sites, navigating/monitoring content items and capturing user's web activities in the internet environment where Bunch teaches more on

monitoring web sites visited by a user without recommending additional content items to

the while Hosken monitors and recommends items to user (See Bunch: Abstract, and

Hosken: Fig. 1A and, col. 2, lines 42-45 and col. 4, lines 29-38) for compensating what

is deficient in Bunch's teaching. To the contrary of Applicant's assessment, Examiner

further respectfully submits the motivation for combination all does come from the

references as evidenced by the fact that the references are directed to many same

functions as mentioned above and the combined teaching of the references would have

enabled a system firstly to monitor and record user's interested items, and then further

to evaluate, correlate and collaborate the items for constructing an extended set of

items to recommend to the users. (See Bunch: Backgrounds, col. 2, lines 52-57,

Summary, col.. 3, lines 25-26, and Hosken: Summary col. 4, lines 42-45).

Based on the strong motivation and suggestion directly cited from the Backgrounds

and Summary of the references, the combining of teachings from references and

compensating deficient features between the references further guarantees the

reasonable level of expectation of success of combining the teachings. Please note

every element of claim 21 is addressed and rejected by the teaching cited from the

references. As for the element of "selecting an additional item based at least upon a

degree of relatedness between the additional item and each of the plurality of items",

Hosken teaches using relationship between items to select a subset of items and

correlating similarities between user's ratings of items and others for selecting a subset

of items at col. 9, lines 39-42 and col. 10, lines 39-43. Note relating and correlating a

set of items and selecting a subset of items includes the teaching of relating an item to a

set of items and selecting an additional item.

(b). At Page 7 of Appeal Brief, concerning claims 22-23, 25-26 and 28-29, Applicant

asserted that the claims depend from, and stand or fall, with independent claim 21.

As to the above assertion **(b)**, Examiner respectfully agrees.

(c). At Page 7 of Appeal Brief, concerning claim 24, Applicant argued that the Bunch or

Hosken reference does not teach "additional item is recommended to the user through

the client component", although Bunch discloses a client component.

As to the above argument **(c)**, Examiner respectfully submits that the combined

teaching of the references teaches the element. Note Hosken teaches recommending

additional items to the user (See Abstract) and Bunch teaches storing content item in

the client component in memory on the client computer (See col. 8, lines 47-54).

(d). At Page 7 of Appeal Brief, concerning claim 30, Applicant argued that the Bunch or

Hosken reference does not teach "wherein using the client component to identify a

plurality of items comprises: receiving from the client component identifications of a

plurality of web addresses browsed by the user during the web browsing session; and

using an association of web addresses with items to identify the plurality of items based

upon the plurality of web addresses" and the limitation is not fully addressed in the office

action.

As to the above argument **(d),** Examiner respectfully submits that the combined

teaching of the references teaches the following:

"receiving from the client component identifications of a plurality of web addresses

browsed by the user during the web browsing session" (See Bunch: col. 8, lines 47-54

where each time the user navigates to a new web page, the previous web page title,

URL are then stored by the client component in memory on the client); and

"using an association of web addresses with items to identify the plurality of items based

upon the plurality of web addresses" and the limitation is not fully addressed in the office

action" (See Bunch: col. 11, line 13-19 where user behaviors are analyzed to identify

media content attribute and media content item interests from the history log of internet

activities which contains a plurality of internet address). Please note the 2nd section of

Bunch reference cited was applied to claims 31-33, all are dependent on claim 30.

(e). At Page 7 of Appeal Brief, concerning claims 31-33, Applicant asserted that the

claims depend from, and stand or fall, with dependent claim 30.

As to the above assertion **(e),** Examiner respectfully agrees.

(f). At Pages 7-8 of Appeal Brief, concerning claim 49, Applicant argued that it lacks of

motivation and expectation of success for combining the two references, Bunch does

not recommend item to monitored user and Hosken does not teach internet usage data,

and the references do not teach all elements, specifically "selecting a web address to

suggest to the user, taking into consideration identifies of each of the plurality of web

sites accessed by the user during the current browsing session".

As to the above argument **(f)**, Examiner respectfully submits the same rationale on

the motivation and expectation of success for combining the two references. As for

Bunch saying nothing about recommending item to monitored user, Examiner

respectfully agrees and submits the motivation for combining Hosken's teaching on

recommending items to compensate Bunch's deficiency on the claimed subject matter.

As for Hosken's lack of teaching on internet usage data, Examiner respectfully submits

that Hosken does explicitly teach, as evidenced by Fig. 1A, element 16 and col. 4, lines

29-33 where "development of media content item recommendations within the scope of

transaction performed over a communications network, such as Internet" is provided.

Concerning the teaching of "selecting a web address to suggest to the user, taking into

consideration identifies of each of the plurality of web sites accessed by the user during

the current browsing session", Examiner respectfully submits that at col. 9, lines 39-42

and col. 10, lines 39-43 where Hosken teaches the element by using the relationships

between the content items to determine a subset of the content items to be referred to

user and the correlation of similarity between the user's rating of the content items and

other users' ratings for selecting a subset to be used on providing recommendations to

user.

(g). At Page 8 of Appeal Brief, concerning claim 50, Applicant asserted that the claim

depends from, and stands or falls, with independent claim 49.

As to the above assertion **(g)**, Examiner respectfully agrees.

(h). At Pages 8-9 of Appeal Brief, concerning claim 51, Applicant argued that reference(s) cited for providing teaching of "wherein the browser plug-in presents the web address to the user during the browsing session" is improper.

As to the above argument **(h)**, Examiner respectfully submits at Fig. 5, steps 58-62 and col. 8, lines 47-54 where Bunch does teach the element by starting web session and connecting to web site wherein URL is obtained from browser to the client component before the web session is closed.

(i). At Page 9 of Appeal Brief, concerning claim 52, Applicant argued that reference(s) does not teach "wherein the browser plug-in provides an option for the user to deselect one or more of the plurality of accessed web sites to cause a recommendation of said web address to be refined" and further disagreed Examiner's assertion of the section(s) cited.

As to the above argument **(i)**, Examiner respectfully submits the assertion was based on two cited sections of the Hosken reference, at col. 20, lines 4-5 where user navigates recommendation sets and at col. 14, lines 32-35 where system removes items which are not of user's selected style. Based on the feature of user navigating items and system removing item, Examiner asserts the reference suggests the teaching of user's option for de-selecting item.

(j). At Page 9 of Appeal Brief, concerning claim 53, Applicant argued that reference(s)

does not render obvious for teaching "the web address is an address of a target web

site that is determined to be the most closely related to the plurality of web sites

accessed by the user during the current browsing session."

As to the above argument (j), Examiner respectfully submits that at col. 9, lines 39-42

and col. 10, lines 39-43 Hosken teaches recommending items by ranking and rating of

media content items and relative strength of user's interest on items while Bunch

teaches monitoring web sites (See col. 8, lines 47-54). Please note that ranking, rating

and relative strength combined does suggest the obviousness of teaching selecting the

most related item from a set of items.

(k). At Pages 9-10 of Appeal Brief, concerning claim 54, Applicant argued that

reference(s) does not teach "the web address is an address of a target web

site, and is selected such that a selection decision takes into consideration a degree to

which the target web site is related to each of the plurality of accessed web sites."

As to the above argument (k), Examiner respectfully submits that at col. 9, lines 39-

42 and col. 10, lines 39-43 Hosken teaches ranking and rating of media content items

and relative strength of user's interest on items for recommending items while Bunch

teaches monitoring web sites (See col. 8, lines 47-54). Please note ranking, rating and

relative strength combined does consider a degree of relative for selecting the web

sites.

(l). At Page 10 of Appeal Brief, concerning claims 55-56 and (57, 59), Applicant

asserted that the claims depend from, and stand or fall, with claims 54 and 49,

respectively.

As to the above assertion (l), Examiner respectfully agrees.

(m). At Page 10 of Appeal Brief, concerning claim 58, Applicant argued that

reference(s) does not teach or suggest "wherein selection of the web address takes into

account sequences with which different web sites have been accessed by users during

the same browsing session, as determined by analyzing session click-streams of a

plurality of users."

As to the above argument (m), Examiner respectfully submits that, in addition to

Hosken teaching of recommending items based on similarity of profiles between user

and other users at the Abstract, ranking and rating of media content items and relative

strength of user's interest on items for recommending items at col. 9, lines 39-42 and

col. 10, lines 39-43, Bunch teaches monitoring and logging of the URLs user visits (See

col. 5, lines 61-65). Please monitoring and logging of the URLs user visits does

consider account sequences with which different web sites have been accessed by

users during the same browsing session, as determined by analyzing session click-

streams of a plurality of users.

(n). At Pages 10-11 of Appeal Brief, concerning claim 60, Applicant argued that it lacks

of motivation and expectation of success for combining the two references, Bunch does

not recommend item to monitored user and Hosken does not teach internet usage data,

and the references do not teach all elements, specifically "selecting at least one web

address to recommend to the user during the browsing session such that selection of

the at least one web address takes into consideration identities of each of the plurality of

web sites accessed by the user during the browsing session".

As to the above argument **(n),** Examiner respectfully submits the same rationale on

the motivation and expectation of success for combining the two references. As for

Bunch saying nothing about recommending item to monitored user, Examiner

respectfully agrees and submits the motivation for combining Hosken's teaching on

recommending items to compensate Bunch's deficiency on the claimed subject matter.

As for Hosken's lack of teaching on internet usage data, Examiner respectfully submits

that Hosken does explicitly teach, as evidenced by Fig. 1A, element 16 and col. 4, lines

29-33 where "development of media content item recommendations within the scope of

transaction performed over a communications network, such as Internet" is provided.

Concerning the teaching of "selecting at least one web address to recommend to the

user during the browsing session such that selection of the at least one web address

takes into consideration identities of each of the plurality of web sites accessed by the

user during the browsing session", Examiner respectfully submits that at col. 9, lines 39-

42 and col. 10, lines 39-43 where Hosken teaches the element by using the

relationships between the content items to determine a subset of the content items to be

referred to user and the correlation of similarity between the user's rating of the content

items and other users' ratings for selecting a subset to be used on providing

recommendations to user.

(o). At Page 10 of Appeal Brief, concerning claim 61, Applicant asserted that the claim

depends from, and stands or falls, with claim 60.

As to the above assertion **(o)**, Examiner respectfully agrees.

(p). At Pages 11-12 of Appeal Brief, concerning claim 62, Applicant argued that

reference(s) does not teach "the browser plug-in provides an option for the user to

deselect one or more accessed web locations represented in the clickstream data to

cause a recommendation of the at least one web address to be refined" and further

disagreed Examiner's assertion of the section(s) cited.

As to the above argument **(p)**, Examiner respectfully submits the assertion was

based on two cited sections of the Hosken reference, at col. 20, lines 4-5 where user

navigates recommendation sets and at col. 14, lines 32-35 where system removes

items which are not of user's selected style. Based on the feature of user navigating

items and system removing item, Examiner asserts the reference suggests the teaching

of user's option for de-selecting item.

(q). At Page 12 of Appeal Brief, concerning claim 63, Applicant asserted that the claim

depends from, and stands or falls, with claim 60.

As to the above assertion **(q)**, Examiner respectfully agrees.

(r). At Page 12 of Appeal Brief, concerning claim 64, Applicant argued that reference(s) does not render obvious for teaching "the at least one web address includes an address of a target web site that is determined to be the most closely related to the plurality of web sites accessed by the user."

As to the above argument (r), Examiner respectfully submits that at col. 9, lines 39-42 and col. 10, lines 39-43 Hosken teaches recommending items by ranking and rating of media content items and relative strength of user's interest on items while Bunch teaches monitoring web sites (See col. 8, lines 47-54). Please note that ranking, rating and relative strength combined does suggest the obviousness of teaching selecting the most related item from a set of items.

(s). At Page 12 of Appeal Brief, concerning claim 65, Applicant argued that reference(s) does not render obvious for teaching "wherein selection of the web address takes into consideration a degree to which the target web site is collectively related to the plurality of web sites accessed by the user."

As to the above argument (s), Examiner respectfully submits that at col. 9, lines 39-42 and col. 10, lines 39-43 Hosken teaches using the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user while Bunch teaches monitoring web sites (See col. 8, lines 47-54). Please

note correlating a similarity between the user's rating of the content items and other

users' ratings for selecting a subset of users to be used to provide recommendations

does suggest the obviousness of teaching the consideration a degree to which the

target web site is collectively related to the plurality of web sites accessed by the user.

(11) Related Proceeding(s) Appendix

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Examiner,

February 11, 2006

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